



**Town of Tyngsborough
Board of Appeals**

Town Hall-25 Bryants Lane
Tyngsborough, Ma 01879-1003
(978) 649-2300, Ext. 112

Board of Appeals Minutes
March 8, 2007-6:30PM
Meeting Room #1

Members Present- Robb Kydd, Chris Mechalides, Claire Cloutier, and Cheryl Bradley.

Members Absent- Eileen Farrell and Gary Ralls

Hearings continued from Feb. 8, 2007-

Aaron Gornstein- CHAPA- 10 minute discussion of updates on the Chapter 40B projects.

See updated paperwork on Chapter 40B Projects Monitored by CHAPA in Tyngsborough.

Attached to minutes.

Janna Tetreault stated that when the developments are completed audits will be done. Maple Ridge will be audited by CHAPA. , and for Merrimac Landing –Mass Housing to do audit.

Discussion given by Janna Tetreault from CHAPA, Program Manager, 18 Tremont St., Suite 401 Boston, MA, telephone # 617-742-0820.

Ms. Farrell from Doug Deschene's office was present to discuss amending the Regulatory Agreement for Merrimac Landing.

Motion to amend the agreement by Chris Mechalides, seconded by Claire Cloutier, Vote 4-0. Unanimous. See letter to Board members dated Feb. 8, 2007 regarding Merrimac Landing Affordable Housing Project, request to amend the regulatory agreement, affordable unit location.

Hearing Continued from January 11, 2007 & Feb. 8, 2007

Danny R. & Katherine Ayers, 68 Mascuppic Trail, Map 32B, parcel 32-0, request special permit for height, variance for side yard setbacks for the construction of a new house, existing house to be razed. Renewal of variance and special permit that was granted in December 2004 which has expired. R-2 Zone, sections 2.15.22, 2.15.24, 2.12.50.

This hearing was continued so the Board could get the correct deed from the Ayers.

Application presented by Pete Nicosia. He provided the board a copy of the corrected deed dated 1/16.07.

Motion to close the public portion of the hearing by Chris Mechalides, seconded by Claire Cloutier. Vote 4-0.

Motion to approve application as submitted by Claire Cloutier, seconded by Cheryl Bradley. Vote 4-0. Unanimous.

Hearing Continued from Feb. 8, 2007

Paul & Kellie Schwartz, 50 Althea Ave., Map 33, parcel 35 & 38, request variance on the side and rear yard set back for the construction of a three car garage 48' x 30'. R-1 Zone, sections 2.12.50.

Legal notice read. Advertised in the Lowell Sun on Jan. 25 & Feb. 1, 2007. Town Boards notified. No challenges to the legal notice. Abutters notified.

Application presented by Pete Nicosia, Esq.

No abutters speaking for or against the application.

Motion to close the public hearing by Claire Cloutier, seconded by Chris Mechalides. Vote 4-0. .

Motion by Chris Mechalides to approve application with conditions- No business, no living quarters no bathrooms are allowed. The structure will be a one story garage 48'x30', and referencing item #3 allowing 19 feet of relief sought and rear yard with Masud property- 18.3 and 13.7 feet of relief sought. Seconded by Cheryl Bradley. Vote 4-0. Unanimous.

Regular Scheduled March Hearing-

Maple Ridge R.E. Development, LLC- Old Tyng Rd. and Middlesex Rd., Assessors Map 27 Parcel 8-3, as a party aggrieved by the Building Commissioner to remove a temporary real estate sign due to it's size which is 24 sq. feet (4'x6') B-Zone, sections 3.11.42, paragraph 5.

Legal notice read. Advertised in the Lowell Sun on Feb. 22 & March 1, 2007. Town Boards notified. No challenges to the legal notice. Abutters notified.

Hearing continued to April 12, 2007 at 6:30 PM.

Claire Cloutier doesn't want to vote on this application so, the board continued this hearing.

Other Business:

Approve minutes from Jan. 11, 2007

Motion to approve minutes from Jan. 11, 2007 by Claire Cloutier, seconded by Cheryl Bradley. Vote 4-0.

Motion by Claire Cloutier to adjourn, seconded by Mechalides. Vote 4-0/

Minutes taken by C. Bradley

